IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 13TH SEPTEMBER 2007 / 22ND BHADRA 1929

WP(C).No. 27268 of 2007(U)

PETITIONER:

MUHAMMED KUNHI, MANAGER, KHADI SOUBHAGYA -III, KANNUR RESIDING AT SYDARAKATHU HOUSE, THAYYIL P.O., MARAKARKANDI, KANNUR-3.

BY ADV. SRI.R.RAJASEKHARAN PILLAI

RESPONDENTS:
----

1. THE KERALA KHADI AND VILLAGE INDUSTRIES BOARD, REPRESENTED BY ITS SECRETARY, THIRUVANANTHAPURAM.

2. THE DIRECTOR, PAYYANNUR KHADI CENTRE, PAYYANNUR.

BY SRI.K.P.HARISH, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
==========
W.P.(C) NO. 27268 OF 2007
==========

Dated this the 13th day of September, 2007

J U D G M E N T

Petitioner apprehends termination of the agency that he has with the respondents on the allegation that amount is due to them. According to the learned counsel, there has been unilateral fixation of his liability and even copy of the audit reports have not been given. Counsel would point out that representation to the 1st respondent is still pending and at the same time, action for termination of his agency is being pursued. Learned standing counsel for the respondents on the other hand would submit that audit upto the period 31/3/07 has been completed and that in terms thereof, an amount of Rs.11,26,006/- is still due from the petitioner. It is also pointed out that a copy of the audit report had already been sent to the petitioner and that if at

all, if he has got any grievances, he can file objections to the audit report. If the objection is so filed by the petitioner, the same will be considered by the first respondent and thereafter a decision will be taken in the matter, submits the learned counsel.

2. Considering the aforesaid circumstances, I dispose of this writ petition directing that, within two weeks on receipt of the audit report, the petitioner shall file his objections, if any, to the first respondent, in which event, the first respondent will give the petitioner notice and an opportunity of hearing and thereafter, render a decision on the objections raised by him. Once his liability is so quantified, the petitioner will pay the amounts due to the first respondent in four equal monthly instalments. Before objections to the audit report is filed by the petitioner, the petitioner shall towards his liability to the 1st respondent

remit Rs.2,00,000/- (Rupees two lakhs) within three weeks from today. If the petitioner complies with the aforesaid conditions, no coercive action shall be taken against the petitioner.

With the above directions, the writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp